

O I P E
DEC 12 2004
PATENT & TRADEMARK OFFICE
JCA
Attorney Docket No. 9022-42

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Maurer et al.
Application No.: 10/782,459
Filed: February 19, 2004
For: PHARMACEUTICAL COMPOSITIONS OF SAFINGOL AND METHODS OF
USING THE SAME

Confirmation No.: 4853
Group Art Unit: 1623

Date: December 14, 2004

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

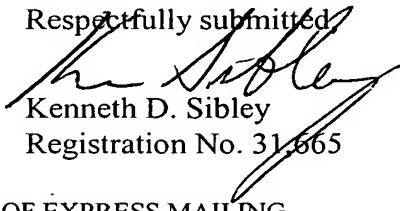
Sir:

In response to the Notice to File Missing Parts of NonProvisional Application Filed Under 37 CFR 1.53(b), mailed May 14, 2004 regarding the above-referenced patent application, enclosed is an executed Declaration and Power of Attorney document (6 pages) for this application.

A copy of the Notice and a check in the amount of \$2290.00 for the surcharge under 37 C.F.R. § 1.16(e) (\$130.00) as well as the fee for five month petition (\$2160.00) is also enclosed. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor.

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
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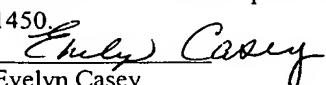
Respectfully submitted,

Kenneth D. Sibley
Registration No. 31,865

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No.: EV 473662743 US

Date of Deposit: 12/14/2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Evelyn Casey

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Page 1 of 2

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/782,459	02/19/2004	Barry James Maurer	9022-42

20792
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CONFIRMATION NO. 4853
FORMALITIES LETTER



OC000000012671037

Date Mailed: 05/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Jerry

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE